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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/533,107 | 03/22/2000 | Shintaro Ichihara | Q58465 | 8572 |

7590 06/16/2005

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| EXAMINER | |
|---|---|
| LAMB, TWYLER MARIE | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2622 | |

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/533,107 | ICHIHARA, SHINTARO | |
| | Examiner | Art Unit | |
| | Twyler M. Lamb | 2622 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *11 January 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *6-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *6-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *12/20/02*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 6-14 are rejected under 35 U.S.C. 102(e) as being anticipated by anticipated by Yokoyama (US 6,166,826).

The applied reference has a common Assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

With regard to claim 6, Yokoyama discloses an image data printing system (Figure 1) comprising: an image data memory device for storing image data therein; a print device (printer 31) including: a first memory section (memory 38) obtaining and storing the image data stored in said image data memory device therein (col 8, lines 22-27); an image data converter (image processing section 35) for converting the image data stored in said first memory section into print data every time execution of print is instructed (col 8, lines 48-55); a print section (print engine 34) capable of printing an image according to said print data (col 8, lines 39-55); a second memory section (storage unit 37) storing the image data stored in said first memory section after the print section has completed printing (col 10, lines 50-54); and a communication device including communication sections for transmitting and receiving the image data which are provided respectively for said image data memory device and said print device, and communication passages for connecting said communication sections to each other (col 1, lines 7-54), wherein the image data stored in said second memory section is provided with delete prevention data (which reads on only deleting if a password is attached) (col 15, lines 53-57).

With regard to claim 7, Yokoyama discloses a print device comprising: a first memory section capable of storing image data stored in an external image data memory device; an image data converter for converting the image data stored in said first memory section into print data every time execution of print is instructed; a print section capable of printing an image according to said print data; and a second memory section storing the image data stored in said first memory section after the print section has

completed printing (col 1, lines 7-54), ), wherein the image data stored in said second memory section is provided with delete prevention data (which reads on only deleting if a password is attached) (col 15, lines 53-57).

With regard to claim 8, Yokoyama discloses an image data printing system comprising: an image data memory device for storing image data therein; a print device including: a first memory section obtaining and storing the image data stored in said image data memory device therein; print data making means for converting the image data stored in said first memory section into print data every time execution of print is instructed; a print section capable of printing an image according to said print data; a second memory section storing the image data stored in said first memory section after the print section has completed printing; and a communication device including communication sections for transmitting and receiving the image data which are provided respectively for said image data memory device and said print device; and communication passages for connecting said communication sections to each other, wherein the second memory section comprises a disc drive device (col 1, lines 7-54), ), wherein the image data stored in said second memory section is provided with delete prevention data (which reads on only deleting if a password is attached) (col 15, lines 53-57).

With regard to claim 9, Yokoyama discloses an image data printing system comprising: an image data memory device for storing image data therein; a print device including: a first memory section obtaining and storing the image data stored in said image data memory device therein; print data making means for converting the image

data stored in said first memory section into print data every time execution of print is instructed; a print section capable of printing an image according to said print data's a second memory section storing the image data stored in said first memory section after the print section has completed printing; and a communication device including communication sections for transmitting and receiving: the image data which are provided respectively for said image data memory device and said print device; and communication passages for connecting said communication sections to each other. wherein the communication passages comprise a wire transmission system (col 1, lines 7-54) ), wherein the image data stored in said second memory section is provided with delete prevention data (which reads on only deleting if a password is attached) (col 15, lines 53-57).

With regard to claim 10, Yokoyama discloses an image data printing system comprising: an image data memory device for storing image data therein; a print device including: a first memory section obtaining and storing the image data stored in said image data memory device therein; print data making means for converting the image data stored in said first memory section into print data every time execution of print is instructed; a print section capable of printing an image according to said print data; a second memory section storing the image data stored in said first memory section after the print section has completed printing; and a communication device including communication sections for transmitting and receiving the image data which are provided respectively for said image data memory device and said print device. and communication passages for connecting said communication sections to each other.

wherein the communication passages comprise a wireless transmission system (col 1, lines 7-54), ), wherein the image data stored in said second memory section is provided with delete prevention data (which reads on only deleting if a password is attached) (col 15, lines 53-57).

With regard to claim 11, Yokoyama discloses an image data printing method for printing: image data stored in an image data memory device by a print device, comprising steps of: transmitting image data from said image data memory device through communication means to said print device: storing: the image data received by said print device in a first memory section of said print device; converting the image data stored in said first memory section into print data that can be printed in a print section of said print device; performing a print operation by said print section in accordance with said print data; storing the image data stored in said first memory section in a second memory section of said print device; and providing delete preventing data to the image data in the second memory section (col 1, lines 7-54).

With regard to claim 12, Yokoyama discloses a print device comprising: a first memory section capable of storing image data stored in an external image data memory device; print data making means for converting the image data stored in said first memory section into print data every time execution of print is instructed: a print section capable of printing an image according to said print data; and a second memory section storing the image data stored in said first memory section after the print section has completed printing, wherein the second memory section comprises a disc drive device (col 1, lines 7-54), ), wherein the image data stored in said second memory section is

provided with delete prevention data (which reads on only deleting if a password is attached) (col 15, lines 53-57).

With regard to claim 13, Yokoyama also discloses wherein said image data is unconverted data (col 8, lines 48-60).

With regard to claim 14, Yokoyama also discloses wherein the image data is unconverted data (col 8, lines 48-60).

***Response to Arguments***

3. Applicant's arguments filed 1/11/05 have been fully considered but they are not persuasive.

Applicant argues Yokoyama does not teach delete preventing data.

Yokoyama teaches only deleting the data in the memory if a password is attached, therefore it is understood that Yokoyama checks for the password, and without the password the data cannot be deleted. Thereby, providing deletion prevention.

***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Twyler M. Lamb whose telephone number is 571-272-7406. The examiner can normally be reached on Mon, Tues and Thurs 6:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Twyler M. Lamb
Primary Examiner
Art Unit 2622